



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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April 2, 2003

IN REPLY PLEASE
REFER TO FILE:

MP-5

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE
A PORTION OF CONSTITUTION AVENUE - STEVENSON RANCH
FUTURE PUBLIC HEARING - SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution of Intention to Vacate with Reservations, a portion of Constitution Avenue, north of Pico Canyon Road, in the unincorporated County area known as Stevenson Ranch, pursuant to Section 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the California Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation pursuant to Section 8322 of the California Streets and Highways Code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the enclosed Resolution to Vacate with Reservations on the date of the hearing, pursuant to Section 8324 of the Streets and Highways Code, after finding that:

- a. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
- b. The area proposed to be vacated is no longer needed for present or prospective public use, including bicycle paths and trails.
- c. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the California Streets and Highways Code.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Land Design Consultants Inc., on behalf of Stevenson Ranch Venture, LLC, owner of properties adjoining the proposed vacation area, requested this vacation to remove from the record all public easement rights within their properties and save an oak tree.

Constitution Avenue, dedicated in 1996 to the County of Los Angeles, was realigned and relocated to protect and preserve a fully matured oak tree located within Constitution Avenue as dedicated in Tract No. 44806. The preservation of the oak tree is in conformance with Section 22.56.2060 of the Los Angeles County Code. Improvements on the new alignment are now almost complete. The asphalt-paved road is improved with curbs and gutters constructed to County standards, and improvements on the old alignment will be demolished after adoption by your Board of the Vacation Resolution. It is in the County's best interest to vacate the excess portion of the roadway since it no longer serves the purpose for which it was dedicated nor is it required for general public access, circulation, or for bicycle paths and trails. The vacation will not cut off access to adjacent properties nor negatively impact the surrounding properties.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility because the vacation of the roadway will result in added revenue through assessment and taxation, eliminates unnecessary maintenance cost, and removes possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the right of way will not have a negative fiscal impact on the County's budget. A fee of \$2,000 has been paid by the petitioner to defray the expenses of investigation, mailings, publication, and posting. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 24,600 square feet and is shown on the map attached to each Resolution.

The County's interest was acquired by dedication in Tract No. 44806, filed in Book 1218, pages 67 through 70, inclusive, of Maps on file in the office of the Recorder of the County of Los Angeles in September 1996, as an easement for street and highway purposes. The alternate right of way was dedicated to the County on September 4, 2002, in Tract No. 33608-01, filed in Book 1270, pages 15 through 23, inclusive, of Maps in said recorder's office.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest and terminate the public's right over a street or highway. Adoption by your Board of Public Works' recommendation terminates the rights of the public to the vacated area and disposes of excess County right of way. Your action will also result in the property being unencumbered of the public easement, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

With respect to requirements of CEQA, this proposed vacation is categorically exempt as specified in Class 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15321 of State CEQA Statutes and Guidelines.

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation of a portion of Constitution Avenue is not in conflict with the County-Adopted General Plan and that the right of way is not suitable for bicycle paths and trails. Existing easement rights for utilities will be reserved to Southern California Edison Company, Valencia Water Company, Southern California Gas Company, and for sanitary sewers, appurtenant structures, and ingress and egress purposes to the County of Los Angeles.

CONCLUSION

This action is in the County's best interest. Enclosed are a Resolution of Intention and a Resolution to Vacate with Reservations, approved as to form by County Counsel, vacating a portion of Constitution Avenue. Upon adoption of the Resolution of Intention, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to Public Works, which will post the Notice pursuant to Streets and Highways Code Section 8323. Upon adoption of the Resolution to Vacate with Reservations, please return one executed original, together with two conformed copies and a copy of the Board's minute order, for further processing. Public Works will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed copy for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:adg
P5\CONSTITUTION AVE BRD

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF INTENTION TO VACATE

WHEREAS, it is proposed that a portion of Constitution Avenue north of Pico Canyon Road be vacated as a public highway; and

WHEREAS, the proposed vacation has been approved by the Director of the County of Los Angeles Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned easement legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference covering the right of way in the County of Los Angeles, State of California, be vacated pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code of the State of California, commencing with Section 8320.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the ____ day of _____, 20____, at the hour of ____ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before the said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that a notice of such proposed vacation be conspicuously posted, along the line of the area proposed to be vacated in the manner and in the form required by law, and shall cause same to be published in _____, a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the ____ day of _____, 20____, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

By _____
Deputy

CVC:adg
P5\CONSTITUTION AVE BRD

**NOTICE OF PROPOSED VACATION OF A PORTION OF CONSTITUTION AVENUE
IN THE VICINITY OF STEVENSON RANCH IN THE
5TH SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on _____ 20____, declaring its intention to vacate, with reservations, a portion of Constitution Avenue north of Pico Canyon Road (Stevenson Ranch, California 91381) in the 5th Supervisorial District, as described in Exhibit "A", attached hereto and incorporated herein by reference.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012, on , 20____, at _____ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted _____, 20____.

VIOLET VARONA-LUKENS, Executive Officer of
the Board of Supervisors
of the County of Los Angeles

APPROVED AS TO FORM

By _____
Deputy

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

CVC:adg
P5\CONSTITUTION AVE BRD

RESOLUTION TO VACATE WITH RESERVATIONS

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on _____, 20____, adopt the Resolution of Intention to Vacate as a public highway that portion of Constitution Avenue north of Pico Canyon Road in the vicinity of Stevenson Ranch in the County of Los Angeles, State of California, legally described in Exhibit "A" and shown by map in Exhibit "B" attached to said Resolution; pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code of the State of California commencing with Section 8320; and

WHEREAS, pursuant to said Resolution, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation _____, 20____; and

WHEREAS, said Board of Supervisors has found and determined that, the area to be vacated is no longer necessary for present or prospective public use based upon the following facts: That the subject street right of way is not required for general public access, circulation, including bicycle paths and trails.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced right of way is hereby vacated pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights for utility facilities owned by Southern California Edison Company, Valencia Water Company, The Gas Company and for sanitary sewers, appurtenant structures and ingress and egress purposes to the County of Los Angeles, as set forth in Sections 8340 and 8341 of said Streets and Highways Code;

AND BE IT FURTHER RESOLVED that the County Los Angeles Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the area vacated will no longer be a public street or highway.

The foregoing Resolution was on the ____ day of _____, 20____, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

By _____
Deputy

CVC:adg
P5\CONSTITUTION AVE BRD

EXHIBIT "A"

**CONSTITUTION AVENUE N/O PICO CANYON ROAD
(M0088111)**

That portion of CONSTITUTION AVENUE, 42 feet and variable width, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use by map of Tract No. 44806, filed in Book 1218, pages 67 to 70 inclusive, of Maps, in the office of the Recorder of said County lying southerly and southeasterly of a curve concentric with and 42 feet southeasterly, measured radially, from the center line of CONSTITUTION AVENUE, 84 feet wide, as said center line is shown on and dedicated to the public use by map of Tract No. 33608-01, filed in Book 1270, pages 15 to 23 inclusive, of Maps in the office of said recorder and northerly of a curve concentric with and 50 feet northerly, measured radially, from that certain 2773.45-foot radius curve concave southerly in the center line of PICO CANYON ROAD, variable width, as said center line is shown on said last mentioned tract.

RESERVING all easements of the Southern California Edison Company, The Gas Company and Valencia Water Company in, over and across the above described portion of CONSTITUTION AVENUE herein being vacated.

Also RESERVING to the County of Los Angeles an easement for and the right to construct, maintain, reconstruct, use and operate sanitary sewers and appurtenances in, over and across above portions of CONSTITUTION AVENUE herein being vacated.

Total Area: 24,600± square feet

Description Approved

JAMES A. NOYES
Director of Public Works

By _____
Deputy

CVC:adg
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